

1 DAVID A. HUBBERT
2 Deputy Assistant Attorney General

3 CONNOR J. PESTOVICH (NM Bar 159189)
4 Trial Attorney, Tax Division
5 U.S. Department of Justice
6 P.O. Box 683
7 Washington, D.C. 20044
8 Phone: (202) 616-2378
9 Fax: (202) 307-0054
10 Connor.Pestovich@usdoj.gov

11 *Counsel for the United States of America*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 ROBERT TOMKINSON,

16 Plaintiff,

17 v.

18 UNITED STATES OF AMERICA,

19 Defendant.

Case No. 3:24-cv-01638-WHO

**JOINT STIPULATION OF DISMISSAL
WITH PREJUDICE AND ORDER**

20
21
22
23
24
25
26
27
28
[Page left intentionally blank]

1 Defendant United States of America and Plaintiff Robert Tomkinson hereby stipulate and
2 agree pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) that this action is dismissed
3 with prejudice and with each party bearing their respective attorneys' fees, expenses, and costs.

4 Respectfully submitted,

5 Dated: August 16, 2024

6 DAVID A. HUBBERT
Deputy Assistant Attorney General

7 /s/ Connor J. Pestovich
8 CONNOR J. PESTOVICH (NM Bar 159189)
9 Trial Attorney, Tax Division
10 U.S. Department of Justice
11 P.O. Box 683
12 Washington, D.C. 20044
13 Phone: (202) 616-2378
14 Fax: (202) 307-0054
15 Connor.Pestovich@usdoj.gov

16 *Counsel for the United States of America*

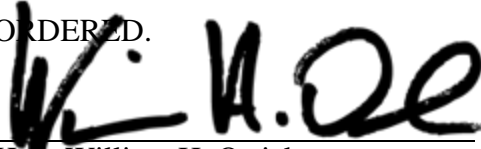
17 Dated: August 16, 2024

18 /s/ Anthony V. Diosdi
19 Anthony V. Diosdi (CA SBN 339070)
20 Diosdi & Liu, LLP
21 505 Montgomery St., 11th Floor
22 San Francisco, CA 94111
23 Phone: (415) 318-3990
24 Fax: (415) 335-7922
25 adiosdi@sftaxcounsel.com

26 *Attorney for Plaintiff*

27 PURSUANT TO STIPULATION, IT IS SO ORDERED.

28 Dated: August 19, 2024.


Hon. William H. Orrick
United States District Judge

CERTIFICATION PURSUANT TO CIVIL L.R. 5-1(i)(3)

I hereby certify that before filing this document, I obtained permission from all signatories to this document to affix their signature and file this document.

/s/ Connor J. Pestovich

CONNOR J. PESTOVICH
Trial Attorney, Tax Division
U.S. Department of Justice

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2024, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all parties that have appeared in this case.

/s/ Connor J. Pestovich
CONNOR J. PESTOVICH
Trial Attorney, Tax Division
U.S. Department of Justice